



A status letter was sent by this office on November 2, 2001, to inquire about the Application. The acknowledgement postcard sent with the Status Letter was received back on the afternoon of January 8, 2002.

Earlier in the day on January 8, 2002, a telephone inquiry was placed with the Customer Service Center regarding the status of this application, among a few other applications, for which no communications had been received from the USPTO. A representative in the Customer Service Center stated that the reason no communications had been sent by the USPTO for these applications was that an address was not on file for the Applicants. A request was made to speak to the Manager. The Manager confirmed the reason for the delay in mailing Notices to File Missing Parts out to Applicants was that the USPTO did not have Applicants' address on file. The Manager requested that a facsimile be sent indicating which applications were in question and to include name and address information. The facsimile was sent on January 8, 2002, with information requested.

On January 23, 2002, Applicants' received the Notice of Incomplete Reply stating that the USPTO had received Applicant's Response on January 8, 2002, (apparently the facsimile containing the name and address information) to the Notice to File Missing Parts that was "mailed May 18, 2001"¹. Again, as mentioned above, the Notice to File Missing Parts was never received and if the Manager was correct, could not have been mailed because of the missing correspondence address. A telephone call was placed to the Customer Service Center Manager to inquire further about this matter. A representative answered and offered to refer the

¹ One of the other applications discussed in the January 8, 2002, facsimile had the same filing date and inventors as this application and a Notice to File Missing Parts was received by this office as a result of our communication on January 8, 2002.

call directly to the Manager. The Manager's voicemail answered and a message was left asking the Manager to return the call.

On January 25, 2002, another telephone call was placed to the Customer Service Center to speak to the Manager. A representative stated the Manager was unavailable and offered assistance. The representative was told about the situation. The representative advised that the missing parts be mailed in with appropriate late fee as soon as possible instead of waiting for the USPTO to answer the status inquiry and then added the application would not be considered abandoned because of the mail situation.

Respectfully submitted,



By: Timothy F. Loomis
Reg. No. 37,383

Law Offices of Timothy F. Loomis
2932 Hagen Drive
Plano, TX 75025
972-747-0706; 972-747-9996 Fax

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on January 28, 2002, in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number **ET625455619US**, addressed to the Commissioner for Patents, Washington, DC 20231.

Cheryl A. Sanders

(Typed or Printed Name of Person Mailing Correspondence)

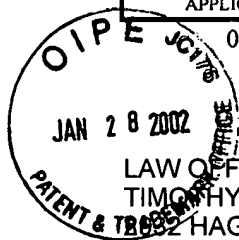

(Signature of Person Mailing Correspondence)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/826,725	04/05/2001	George B. Brunt	CDUS.0004



LAW OFFICES OF
TIMOTHY F. LOOMIS
1802 HAGEM DRIVE
PLANO, TX 75025

CONFIRMATION NO. 6055

FORMALITIES LETTER



OC000000007309028

Date Mailed: 01/15/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/08/2002 to the Notice to File Missing Parts (Notice) mailed 05/18/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.
- **The balance due by applicant is \$ 65.**

A copy of this notice MUST be returned with the reply.

AT
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/05/2002 MABDI1 00000021 09826725

01 FC:205

65.00 DP